HOUSE BILL NO. 950

AN ACT TO AMEND SECTIONS 63-7-19 AND 63-7-65, MISSISSIPPI CODE OF 1972, TO REQUIRE OPERATORS OF EMERGENCY VEHICLES THAT ARE AUTHORIZED TO BE MARKED WITH BLUE OR RED LIGHTS TO OPERATE SUCH LIGHTS WHENEVER EXCEEDING THE POSTED SPEED LIMIT BY AT LEAST TEN MILES PER HOUR WHETHER OR NOT SUCH VEHICLES ARE RESPONDING TO AN EMERGENCY; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 63-7-19, Mississippi Code of 1972, is amended as follows:

63-7-19. (1) Except as otherwise provided for unmarked vehicles under Section 19-25-15 and Section 25-1-87, every police vehicle shall be marked with blue lights. Every ambulance shall be marked with red lights front and back. Every emergency management/civil defense vehicle, including emergency response vehicles of the Department of Environmental Quality, shall be marked with blinking, rotating or oscillating red lights. Every wrecker or other vehicle used for emergency work, except vehicles authorized to use blue or red lights, shall be marked with blinking, oscillating or rotating amber colored lights to warn other vehicles to yield the right-of-way, as provided in Section 63-3-809. Only police vehicles used for emergency work may be marked with blinking, oscillating or rotating blue lights to warn other vehicles to yield the right-of-way. Only law enforcement vehicles, fire vehicles, private or department-owned vehicles used by firemen of volunteer fire departments which receive funds pursuant to Section 83-1-39 when responding to calls, emergency management/civil defense vehicles, emergency response vehicles of the Department of Environmental Quality and ambulances used for emergency work may be marked with blinking, oscillating or
rotating red lights to warn other vehicles to yield the right-of-way. This section shall not apply to school buses carrying lighting devices in accordance with Section 63-7-23.

(2) Any vehicle referred to in subsection (1) of this section also shall be authorized to use alternating flashing headlights when responding to any emergency.

(3) Any vehicle operated by a United States rural mail carrier for the purpose of delivering United States mail may be marked with two (2) amber colored lights on front top of the vehicle and two (2) red colored lights on rear top of the vehicle so as to warn approaching travelers to decrease their speed because of danger of colliding with the mail carrier as he stops and starts along the edge of the road, street or highway.

(4) Every operator of an emergency vehicle that is authorized by this section to be marked with blue or red lights, whenever exceeding the posted speed limit by at least ten (10) miles per hour, whether or not the vehicle is responding to an emergency, shall operate such lights.

SECTION 2. Section 63-7-65, Mississippi Code of 1972, is amended as follows:

63-7-65. (1) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet. The driver of a motor vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his horn but shall not otherwise use such horn upon a highway. No horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle.

(2) Any emergency vehicle authorized under Section 63-7-19 to be marked with blue or red lights may be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than five hundred
(500) feet and of a type approved by the department. * * * Such siren, whistle or bell shall be used whenever such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, or whenever the vehicle is exceeding the posted speed limit by at least ten (10) miles per hour or whenever necessary to warn pedestrians and other drivers of the approach thereof.

(3) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section. No bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle.

(4) Any vehicle may be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.

SECTION 3. This act shall take effect and be in force from and after July 1, 2001.